

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

March 24, 2009

9:30 AM

OPEN SESSION

1. CALL TO ORDER - The meeting of the Board of Technical Registration was called to order at 9:33 AM by Chair Susan Schaefer Kliman.
2. ROLL CALL - Board Members in Attendance: Karen Cesare, Stuart Lane, Chet Pearson, Claudia Perchinelli, Susan Schaefer Kliman, and Howell "Chip" Shay. Absent: Sheila Bowen, Dawn Garcia, and Robert Roos. Board Staff: Ronald Dalrymple, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Melissa Cornelius.
3. CALL TO THE PUBLIC – No members of the public spoke.
4. ADOPTION OF MINUTES – Mr. Lane moved to approve the February 24, 2009 minutes. Ms. Cesare seconded. Motion Carried.
5. ENFORCEMENT MATTERS
Review, Consideration and Possible Vote on the following:
 - A. Proposed Consent Agreements
 - 1.a M08-009, Tommie G. Stewart, Land Surveyor #15340 – Mr. and Mrs. William Bushey addressed the Board.
 - 1.b M08-079, Tommie G. Stewart, Land Surveyor #15340 – Mr. Joe Fallon addressed the Board.

The following motion encompasses Cases M08-009 and M08-079. Mr. Lane moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand; Examination: Respondent shall pay the fee, take and successfully complete (by achieving a score of 70% or above) the three (3) hour Arizona State Specific Land Surveyors Examination administered by Board staff; and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$600.00. Mr. Pearson seconded. After discussion, Motion Carried.

 2. M08-020, Lloyd L. Eichelberger, Land Surveyor #11845 – Mr. Lane moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$265.00. Mr. Pearson seconded. Mr. Allen McCarthy addressed the Board. After discussion, Motion Carried.

B. Proposed Consent Agreements

1. HI08-010, Mark D. Koebbe, CHI #38655 – Mr. Lane moved to remand this matter back to Staff to obtain a signed Consent Agreement. If no Consent Agreement can be obtained, then move this matter to a Formal Hearing. Mr. Pearson seconded. After discussion, Motion Carried.
2. HI08-014, Paul G. Gonzales, CHI #38851 – Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$300.00; Open Book Test: Respondent shall take an successfully pass (by achieving a score of 100%) an open book test of the Board's Statutes and Rules within 30-days; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$105.00.
3. HI09-015, Ronald R. Luensman, CHI #40494 – Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following: Assurance of Discontinuance: Respondent shall not offer cash incentives for referrals; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$500.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$90.00. Mr. Pearson seconded. Motion Carried.
4. HI09-016, Charles G. Hanvey, CHI #42480 – Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand; Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$200.00; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$100.00. Mr. Pearson seconded. After discussion, Motion Carried.

7. Review, Consideration, and Possible Vote on the following:

EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION

A. Applicants For Examination

1. Christopher R. Howells, Architect Applicant # 090113 – Dr. Schaefer Kliman moved to allow Mr. Howells to sit for the Architect Examination. Ms. Cesare seconded. After discussion, Motion Carried.
2. Paul H. Townsend, P.E. (Electrical) Applicant #090043 – Mr. Pearson moved to accept Mr. Townsend's application to waive the Engineer-in-Training Examination and allow him to sit for the P.E. Examination. Mr. Lane seconded. After discussion, Motion Carried.
3. Jun Yang, P.E. (Environmental) Applicant #081166 – Mr. Pearson moved to allow Mr. Yang to sit for the Examination. Mr. Lane seconded. After discussion, Motion Carried.

11. DIRECTOR'S REPORT – Mr. Dalrymple advised:

Rule Changes:

All rule making activity is still on hold for an undetermined period. The exceptions are for rules that have a critical health, safety, and welfare component. None of the rules under consideration by the Board before the suspension was initiated qualify for an exemption.

Staffing Report:

The Board is now down four (4) positions due to the hiring freeze.

Budget:

The previous Governor publicly stated that all agencies were to prepare plans in February for budget reductions up to 20% for this fiscal year. We have queried the Governor's office and the Legislative Budget Committee and have been told that there is nothing we need to do at this time. We have been partially following the reduction, which is partly due to the hiring freeze, and have currently reduced the FY09 spending by approximately 7%.

The revenues coming in for the first three quarters of the year are below our expenditures by approximately \$80,000.00. However, we are working on contacting registrants who are delinquent and trying to find out whether or not they fully intended to let their registration be listed as delinquent or whether they might be the victim of the IBM mess-up when they moved to convert our business licensing system to the new IBM program. I think we're still good because I believe we can use that \$270,000 in the reserve fund to balance this year's revenues. When you look at actual revenues versus expenditures, even with the changes we've made in our spending pattern, we're very close right now.

Computers:

The Arizona Department of Administration ("DOA") has apparently lost their capability to make timely changes to the AS/400 Program or respond to our requests for renewal lists, registration due to retirements. We are still in discussions with the Governor's Information Technology Agency, DOA, NIC, and Cavu to see if a conversion program and new computer program can be developed.

Board Appointments:

A new head of the appointments office has been named. We have received a courtesy call from that office and had a brief dialogue about our agency situation. No promises were made as to when we might have some appointments made, but they are aware of our need.

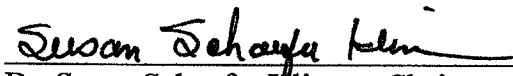
12. BOARD CHAIR'S REPORT – Nothing at this time.


16. FUTURE AGENDA ITEMS

1. Notification to new registrants of A.R.S. §32-141 Firm Registration requirements

17. ADJOURNMENT – Meeting adjourned at 11:19 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Dr. Susan Schaefer Kliman, Chair


Ronald W. Dalrymple, Executive Director